

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
E/S Cummings Avenue, 1175 ft. S * ZONING COMMISSIONER
of Rich Avenue * OF BALTIMORE COUNTY
1113 Cummings Avenue *
1st Election District * Case No. 93-266-A
1st Councilmanic District *
Legal Owner: Walter K. Myers, Jr. *
Contract Purchaser: Matthew Decker *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance for that property located at 1113 Cummings Avenue in the Catonsville section of Baltimore County. Within the Petition, the Petitioner/Contract Purchaser seeks relief from Sections 1802.3.C.1 and 304.1.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a minimum lot width of 50 ft., in lieu of the required 55 ft., in a D.R.5.5 zone. The relief is more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

This matter was originally scheduled for public hearing on Thursday, March 11, 1993. At that time, two residents of the surrounding community appeared in opposition. However, neither the property owner, contract purchaser, nor their attorney appeared. Thus an Order of Dismissal was entered on March 15, 1993. Subsequently, a Motion for Reconsideration was filed by the Petitioner citing scheduling conflicts as the reason for the failure of the Petitioner and counsel to appear. Thus, the matter was rescheduled for hearing on March 29, 1993.

At the March 29th hearing, only the attorney for the Petitioner, N. Scott Phillips appeared. Neither of the Protestants/interested persons who attended the first public hearing were present.

Testimony and evidence proffered was that the subject site is a narrow, yet deep, lot of .36 acres. Presently, the site is unimproved. The lot is presently owned by Walter K. Myers, Jr., but is under contract of sale to Matthew C. Decker.

Mr. Decker proposes construction of a single family house on the property. The testimony and evidence which was proffered was that the lot is only 50 ft. wide and thus cannot comply with the minimum lot width of 55 ft. mandated by Section 1802.3.C.1 of the B.C.Z.R. Further, neither Mr. Myers nor Mr. Decker own adjacent property from which the additional width could be obtained. Thus, it is argued that the strict adherence to the regulation would cause practical difficulty upon the Petitioner, in that a permitted use of the property would not be allowed. Further, Mr. Phillips noted that any house which would be constructed would be architecturally consistent with the surrounding locale.

Although the Protestants/Interested persons did not appear at the second hearing date, statements from Mrs. Favors and Mr. Christian at the earlier hearing were that they do not object to development on the property, as long as same is in keeping with other houses in the area. Further, Mrs. Favors noted that there may be a utility line across the property which might prohibit construction.

After considering all of the testimony and evidence offered, I am persuaded that the Petition should be granted. In my view, adherence to the width requirement as contained within the B.C.Z.R. would cause practical difficulty upon the Petitioner and his property. Specifically, the Petitioner would be unable to use the property for an otherwise permitted purpose. Further, the relief requested is the minimum required and is not

the result of any self-imposed hardship. Lastly, I find that the granting of the variance will not be detrimental to the surrounding locale.

However, notwithstanding my decision to approve this variance, I will require the Petitioner to submit architectural/elevation drawings to the Office of Planning and Zoning before any permits are issued. This is to insure that the construction will be in keeping with the architectural style of the houses in this location. Thus my Order will be restricted in that manner. Further, the granting of this variance does not constitute any waiver from public works or other requirements related to the possible utility line on this property. That is, if a line does exist, the Petitioner may develop the property only in a manner so as not to interfere with any existing utility improvement.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of April, 1993 that a variance from Sections 1802.3.C.1 and 304.1.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a minimum lot width of 50 ft., in lieu of the required 55 ft., in a D.R.5.5 zone, in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner must submit to the Office of Planning and Zoning architectural/elevation drawings for review and approval prior to the issuance of a permit.
3. When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmm

ORDER RECEIVED FOR FILING
Date 4/2/93
By Dr. J. J. J.

ORDER RECEIVED FOR FILING
Date 4/2/93
By Dr. J. J. J.

ORDER RECEIVED FOR FILING
Date 4/2/93
By Dr. J. J. J.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 1, 1993

N. Scott Phillips, Esquire
1317 Dillon Heights Avenue
Catonsville, Maryland 21228

RE: Case No. 93-266-A
Petition for Variance
Matthew C. Decker, Contract Purchaser, Petitioner
1113 Cummings Avenue

Dear Mr. Phillips:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
att.
cc: Mr. Matthew C. Decker
cc: Mrs. Dorothy Favors
cc: Mr. Thomas Christian

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
E/S Cummings Avenue, 1175 ft. S * ZONING COMMISSIONER
of Rich Avenue * OF BALTIMORE COUNTY
1113 Cummings Avenue *
1st Election District * Case No. 93-266-A
1st Councilmanic District *
Legal Owner: Walter K. Myers, Jr. *
Contract Purchaser: Matthew Decker *
Petitioner *

ORDER OF DISMISSAL

This case comes before the Zoning Commissioner as a Petition for Zoning Variance for that property known as 1113 Cummings Avenue in the Catonsville section of Baltimore County. The Petitioner requested a variance from Sections 1802.3.C.1 and 304.1.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a minimum lot width of 50 ft., in lieu of the 55 ft. required, in a D.R. 5.5 zone.

The case was scheduled for public hearing on Thursday, March 11, 1993 at 2:00 P.M. At that time, Dorothy Favors, who resides next door at 1115 Cummings Avenue, and Thomas Christian on behalf of the local community association, appeared. However, neither Walter K. Myers, Jr., the property owner, Matthew C. Decker, the Contract Purchaser, nor their attorney N. Scott Phillips, Esquire, appeared at the specified time for the subject hearing. After a reasonable period of time elapsed and Messrs. Phillips, Decker or Myers still had not appeared, nor contacted the Zoning Office, the case was adjourned.

It is the opinion of the Zoning Commissioner that this Petition shall, therefore, be dismissed, due to the Petitioner's failure to appear.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore

County this 15th day of March, 1993 that the Petition for Zoning Variance from Sections 1802.3.C.1 and 304.1.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a minimum lot width of 50 ft., in lieu of the 55 ft. required in a D.R. 5.5 zone, be and is hereby DISMISSED without prejudice.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 15, 1993

N. Scott Phillips, Esquire
Walter K. Myers, Jr.
1317 Dillon Heights
Catonsville, Maryland 21228

Mr. Matthew C. Decker
305 N. Rolling Road
Baltimore, Maryland 21228

RE: Case No. 93-266-A
Petition for Variance
1113 Cummings Avenue
Legal Owner: Walter K. Myers, Jr.
Contract Purchaser: Matthew C. Decker, Petitioner

Gentlemen:

Attached hereto please find an Order of Dismissal regarding the above captioned matter.

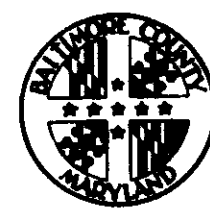
Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
att.
cc: Mrs. Dorothy Favors
cc: Mr. Thomas Christian

ORDER RECEIVED FOR FILING
Date 3/15/93
By Dr. J. J. J.

ORDER RECEIVED FOR FILING
Date 3/15/93
By Dr. J. J. J.



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at #1113 CUMMING
which is presently zoned O.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1602.3.C.1 and 304.1C from the Baltimore County Zoning Regulations to permit a minimum lot width of 50' in lieu of 55'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Applicant unable to secure a reasonable return or make a reasonable use of his property as allowed by zoning density in complying with referenced Property is to be posted and advertised as prescribed by Zoning Regulations. Zoning standards. I or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Leasee

MATTHEW C. DECKER

Type of Print Name

Signature

305 N. Rolling Road

Baltimore MD 21228

City State Zipcode

Attorney for Petitioner

N. Scott Phillips

Type of Print Name

Signature

1317 DILLON HTS 788-1154

Address Phone No.

City MD 21228

City State Zipcode

Legal Owner(s)

Walter K. Myers, Jr.

Type of Print Name

Signature

WALTER K. MYERS JR.

Signature

Type of Print Name

Signature

Address Phone No.

City State Zipcode

Name

Address Phone No.

City State Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following date

Next Two Months

ALL OTHER

RECEIVED BY DATE

Zoning Description

ZONING DESCRIPTION FOR 1113 CUMMING AVE
(address)
Election District 1 Councilman: District

Beginning at a point on the EAST side of
(north, south, east or west)

CUMMING AVE which is 50'
(street on which property fronts) (number of feet of right-of-way width)

wide at a distance of 1175 SOUTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street RICH AVE
(name of street)

which is 30' wide. "Being Lot # 156
(number of feet of right-of-way width)

Block Section # in the subdivision of
DOUGLAS PARK as recorded in Baltimore County Plat
(name of subdivision)

Book # 7 Folio # 120 containing
13,350 36 AC
(square feet and acres)

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting 2/11/93

Posted for: Variance

Petitioner: Walter Myers, Jr. & Matthew Decker

Location of property: 1113 Cumming Ave. (1113) 1175' S/Rich Ave.

Location of Signs: Signs placed on property of Petitioner

Remarks:

Posted by: Matthew Decker Date of return: 2/18/93

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. 2/18 1993

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/18 1993.

THE JEFFERSONIAN,
S. Zeke Olson
Publisher

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 130974
93-266-A
RECEIVED FROM: MAT DECKER
FOR: VARIANCE
\$50.00
DATE: 2/11/93
VALIDATION OR SIGNATURE OF CASHIER
2/11/93

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

93-266-A
Account: R 001-6150
Number

2/03/93

PUBLIC HEARING FEES

010 - ZONING VARIANCE (1PL) 1 x \$50.00

LAST NAME OF OWNER: MYERS JR. TOTAL: \$50.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 2-19-93

Matthew C. Decker

305 N. Rolling Road

Baltimore, Maryland 21228

RE: CASE NUMBER: 93-266-A (Item 278)

2/8 Cumming Avenue, 1175' S of Rich Avenue

1113 Cumming Avenue

1st Election District - 1st Councilmanic

Legal Owner(s): Walter K. Myers, Jr.

Contract Purchaser(s): Matthew C. Decker

HEARING: THURSDAY, MARCH 11, 1993 at 2:00 p.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$ 60.27 is due for advertising and posting of the above captioned property and hearing data.

THIS FEE MUST BE PAID AND THE HEARING SIGN & POST SIGN(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SIGN(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via express mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

cc: H. Scott Phillips

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

FEBRUARY 10, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-266-A (Item 278)

2/8 Cumming Avenue, 1175' S of Rich Avenue

1113 Cumming Avenue

1st Election District - 1st Councilmanic

Legal Owner(s): Walter K. Myers, Jr.

Contract Purchaser(s): Matthew C. Decker

HEARING: THURSDAY, MARCH 11, 1993 at 2:00 p.m. in Rm. 118, Old Courthouse.

Variance to permit a minimum lot width of 50 feet in lieu of 55 feet.

cc: Walter K. Myers, Jr.
Matthew C. Decker
H. Scott Phillips

NOTE: HEARING IS UNMANDATED ACCORDINGLY; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 19, 1993

NOTICE OF REASSIGNMENT

CASE NUMBER(S): 93-266-A

LEGAL OWNER: Walter K. Myers, Jr.

CONTRACT PURCHASER: Matthew Decker

LOCATION: 1113 Cumming Avenue

HEARING OF THE ABOVE MATTER WILL TAKE PLACE AS FOLLOWS:

TUESDAY, MARCH 30, 1993 at 10:00 a.m.

IN THE BALTIMORE COUNTY COURTHOUSE, ROOM 118, 400 WASHINGTON AVENUE, TOWSON, MARYLAND 21204.

Arnold Jablon
DIRECTOR

cc: N. Scott Phillips
Matthew Decker
Dorothy Favors
Thomas Christian

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 3, 1993

N. Scott Phillips, Esquire

1317 Dillon Heights

Baltimore, MD 21228

RE: Case No. 93-266-A, Item No. 278

Petitioner: Walter K. Myers, Jr., et al

Petition for Variance

Dear Mr. Phillips:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on February 1, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Wai Kwan
Administrator

2-12-93

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 278 (LEO)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-8717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: February 18, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 265, 270, 271, 272, 273, 274, 277, and 278.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*

Division Chief: *Pat Keller*

PK/JL:lw

265. ZAC/ZAC1

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: Feb. 18, 1993

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famill

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: Feb. 16, 1993

There are no comments on item numbers 265, 266, 269, 270, 271, 272, 273, 274, 277 and 278.

Rahee J. Famill
Rahee J. Famill
Traffic Engineer II

RJF/lvd

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

FEBRUARY 19, 1993

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: WALTER K. MYERS, JR.

Location: #1113 CUMMINGS AVENUE

Item No.: 278 (LEO) Zoning Agenda: FEBRUARY 16, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Jaffer*
Planning Group
Special Inspection Division

JP/KEK

BALTIMORE COUNTY, MARYLAND
Inter-office Correspondence

TO: Memo to the file

DATE: March 12, 1993

FROM: Lawrence E. Schmidt
Zoning Commissioner

SUBJECT: Case No. 93-266-A
Matthew Decker/Walter K. Myers, Jr.
Property 1113 Cummings Avenue

This case was scheduled for March 11, 1993. The only people who appeared were Mrs. Dorothy Favors and Thomas Christian, nearby residents. Mr. Christian is also President of the local community association. They did not appear so much in opposition but were interested as to what was planned. Also Mrs. Favors noted that she was aware of the existence of a storm drain which had been constructed right through the center of the property by Baltimore County a few years ago, which may very well prohibit construction.

LES:mmn

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning and Zoning
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Duxbury Ave
Towson, MD 21204

Permit Number

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: Undersized Lots
Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

1. *MATTHEW C. DECKER* 305 N. ROLLING RD., BALTO, MD, 21228 410-719-0011
2. Lot Address: *1113 CUMMINGS AVE* (Section Market) *1* (Council Market) *1* Square Feet *13,350*
Lot Location: *815 W side / corner of E/S* .175 feet from 815 W corner of *3 OF RICH AVE*
Lot Owner: *WALTER K. MYERS, JR.* Tax Account Number: *01-16-1505770*
Address: *1317 DILLON HEIGHTS* Telephone Number: *788-1754*
City: *BALTO., MD.* Zip: *21228*

3. CHECKLIST OF MATERIALS (to be submitted for design review by the Office of Planning and Zoning)

	YES	NO
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Property (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Topo Map (submitted to the P&Z) (2 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Photographic (panoramic view of street view)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Adjacent Building	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY

RECOMMENDATION/COMMENTS:

☐ Approved ☐ Disapproved ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Original "App'd" Per G.S.

Signed by: *Ervin McDaniel*, Director of Planning & Zoning

Date:

N. SCOTT PHILLIPS

Attorney at Law

1317 DILLON HEIGHTS ROAD - BALTIMORE, MD 21228
OFFICE: 410-332-2560 OR 410-788-6647

March 17, 1993

Mr. Larry Schmidt
Commissioner of Zoning
Baltimore County
400 Washington Avenue
Room 113
Towson, MD 21204

Re: Case Number 93-266-A (Item 278)
1113 Cummings Avenue

Dear Commissioner:

Enclosed you will find my Motion For Reconsideration on the Cummings Avenue property. I have mailed a copy of this motion to the concerned parties.

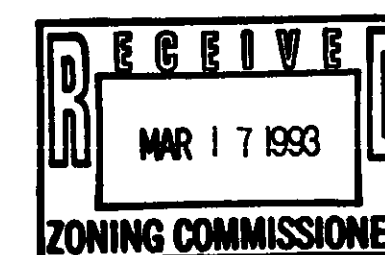
If possible, please set a rehearing in this matter for Monday March 29, 1993 or Tuesday March 30, 1993. I am available at your convenience on those two days. *10 AM 3/29/93*

If you have any additional questions, please feel free to give me a call at 332-2560 or 788-6647.

Sincerely,

N. S. Phillips
N. Scott Phillips

cc: Dorothy Favors
Thomas Christian
Matt Decker
Walter K. Myers, Jr.



IN THE MATTER OF * BALTIMORE COUNTY
1113 CUMMINGS AVENUE * ZONING ADMINISTRATION
AND * CASE NO. 93-266-A
VARIANCE TO PERMIT *
CHANGE IN LOT SIZE *

MOTION FOR RECONSIDERATION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The Petitioners Walter K. Myers, Jr. and Matthew C. Decker, by their Attorney, N. Scott Phillips, file this Motion for Reconsideration.

1. The Petitioners and their attorney were unable to attend the hearing scheduled for March 11, 1993, at 2:00 p.m. due to scheduling conflicts.

2. The Petitioners commit to attend either in person or by their attorney at a rescheduled hearing at the convenience of the court.

3. A denial of this motion will result in a significant financial hardship to the petitioners.

Respectfully Submitted:

N. S. Phillips
N. Scott Phillips
Attorney at Law
1317 Dillon Heights
Catonsville, MD 21228

I HEREBY CERTIFY that on this 17th day of March, 1993, a copy of this motion was mailed postage prepaid to the following interested parties: Ms. Dorothy Favors, 1115 Cummings Avenue, Catonsville, MD 21228, and Mr. Thomas Christian, 1022 Handy Avenue, Catonsville, MD 21228.

N. S. Phillips
N. Scott Phillips

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

Cummings Ave

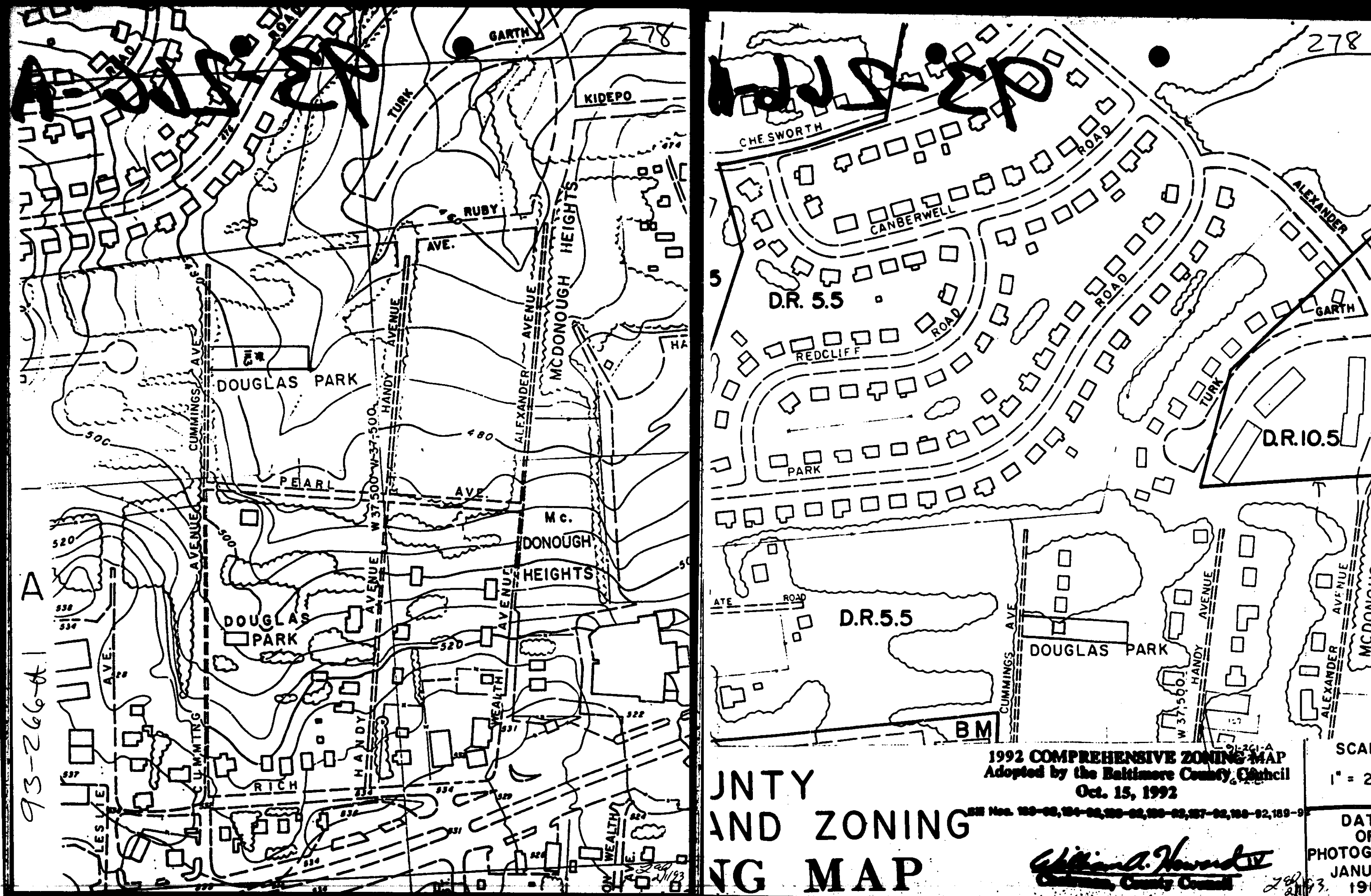
NAME: *Scott Phillips* ADDRESS: *1817 Dunes Heights Ave 21228*

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME: *Dorothy Favors* ADDRESS: *1115 Cummings Ave*
Thomas Christian *1022 Handy Ave*
res. of common usage

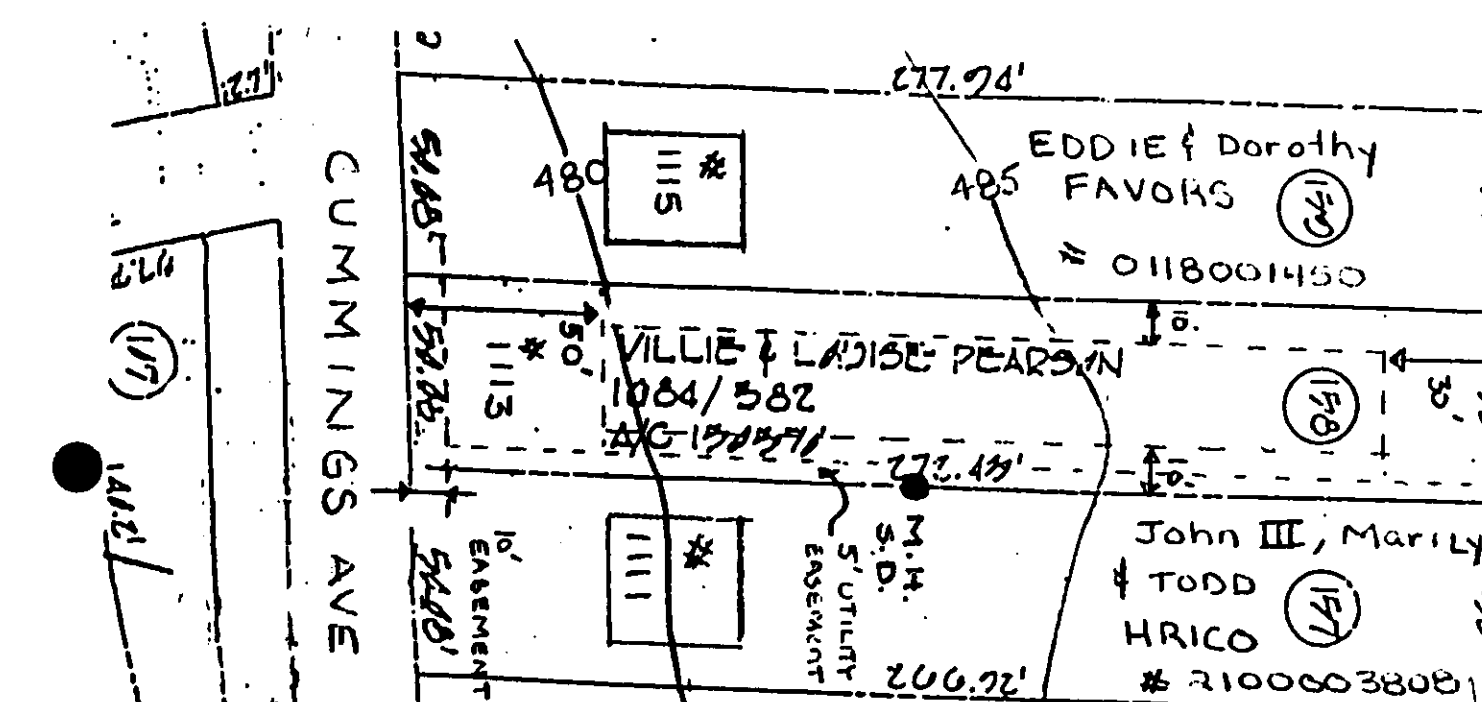
Catonsville 21228
Catonsville 21228



PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS: **1113 CUMMINGS AVE.**
 Subdivision name: **DOUGLAS PARK**
 Plat book: **7, folios 120, lot 158.**

OWNER: **WALTER K. MYERS JR.** APPLICANT: **MATTHEW C. DECKER**
 ZEMER 1684, FOLIO 382 305 N. ROLLING RD
 TAX ACCT. NO. 01-16-1505770 BALT., MD 21228



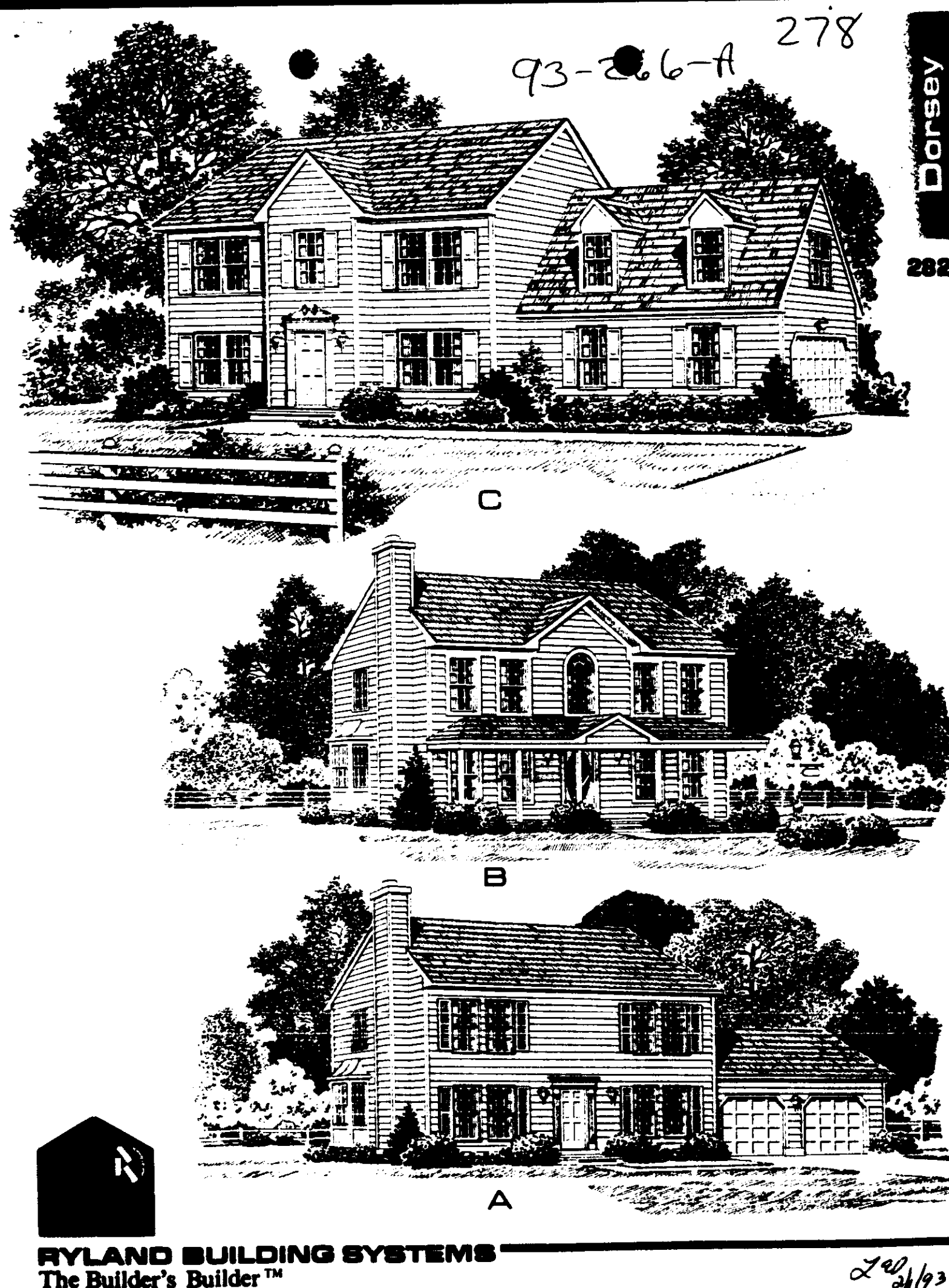
date: **12-1-93**
 prepared by: **MCD** Scale of Drawing: **1" = 50'**

LOCATION INFORMATION

Councilman's District: **01**
 Election District: **1**
 1"-200' scale map: **S.W. 2-0**
 Zoning: **DR.5.5**
 Lot size: **0.36** = **15,350** square feet
 8" SEWER: ☒
 8" WATER: ☒
 Chesapeake Bay Critical Area: ☒
 Prior Zoning Hearing: **NONE**

Zoning Office USE ONLY

reviewed by: **ITEM #:** **240** **CASE #:** **21/93 278**



RYLAND BUILDING SYSTEMS
 The Builder's Builder™

